

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room C
402 West Washington Street
Indianapolis, Indiana

May 7, 2003
1:02 p.m.

1. Mr. John Walker, Chairman, called the meeting to order. He noted that a quorum was present.

CALL TO ORDER
QUORUM

2. Chairman Walker introduced the board members.

INTRODUCTION OF
MEMBERS

Present: Mr. John Walker, Chairman
Mr. Thomas Anderson
Mr. Howard Cundiff
Mr. David Benshoof
Mr. John Bacone, Proxy, Department of Natural Resources
Ms. Pamela Fisher, Proxy, Lieutenant Governor
Dr. James Miner
Mr. Randy Staley
Dr. Phil Stevens

Also present were Mr. Timothy Method, Deputy Commissioner, Ms. Janet McCabe, Assistant Commissioner, and Ms. Kathy Watson, Air Programs Branch Chief. Others present are recorded on a separate sheet and made a part of this record. A court reporter was present and a transcript is available for review.

3. Mr. Method summarized the following bills that passed thru the General Assembly that ended in April, 2003: the Budget Bill, House Bill 1657 (open burning); House Bill 1671 (environmental rulemaking procedures); House Bill 1798 (auto emission testing); Senate Bill 440 (federal new source review regulations); and House Bill 1221 (endangered industries).

REPORTS

Ms. McCabe reported on a 90 parts per billion ozone value at the Emporia Monitor in Madison, and an 85 parts per billion ozone value at the monitor located in Albany, Indiana, Delaware County on April 16, 2003. Ms. McCabe stated that since April 16, 2003, both monitors have recorded under 85 parts per billion ozone values.

Ms. McCabe informed the board members to expect a formal presentation on redesignation recommendations for the 8-hour ozone standards at the next air pollution control board meeting. The presentation will consist of recommendations that IDEM is working on to send to

U.S. EPA regarding which counties in Indiana may need to be designated nonattainment under the eight-hour ozone standard. These recommendations are due to U.S. EPA on July 15, 2003.

Ms. McCabe reported on rulemaking updates that will be provided to the board members on a regular basis.

4. Chairman Walker introduced the March 5, 2003, Air Pollution Control Board minutes. **MINUTES**

Mr. Bacone moved to adopt the March 5, 2003, Air Pollution Control Board's Minutes. Dr. Miner seconded. The motion passed unanimously.

5. Chairman Walker introduced Exhibit 1-A, the proposed rule as preliminarily adopted with IDEM's suggested changes incorporated, and Exhibit 1-B, the rule as preliminarily adopted, into the record of the hearing. **PUBLIC HEARING
FOR FINAL
ADOPTION OF
AMENDMENTS TO
RULES 326 IAC 10-3
AND 326 IAC 10-4,
Changes to the**

Ms. Watson stated this rulemaking addresses four issues that were outstanding following the adoption of the NOx Rule in June, 2001. The changes include: 1) moving the rest of ISPAT Inland's boilers from the NOx rule that regulates blast furnace and gas-fired boilers into the NOx trading program, that is, from 326 IAC 10-3 to 326 IAC 10-4; 2) adding three of Purdue's boilers to the trading program; 3) expanding the types of projects eligible for the energy efficiency/renewable energy set-asides; and 4) harmonizing the compliance and other dates for all sources subject to the NOx trading program. Additionally, U.S. Steel-Gary Works requested that one of its blast furnace gas-fired boilers be moved from 326 IAC 10-3 into the trading program at 326 IAC 10-4. We also have changed the flow control date back to 2006. Finally, the fiscal impact analysis prepared by the Legislative Services Agency was updated to reflect the changes that are being presented to the board.

Mr. Cundiff moved to adopt the amendments to rules 326 IAC 10-3 and 326 IAC 10-4. Dr. Stevens seconded. The motion passed unanimously.

Mr. Benshoof moved to final adopt rules 326 IAC 10-3 and 326 IAC 10-4 as amended. Dr. Miner seconded. The motion passed 10 - 0.

6. Chairman Walker introduced Exhibit 2-A, the proposed rule as preliminarily adopted with IDEM's suggested changes incorporated, and Exhibit 2-B, the rule as preliminarily adopted, into the record of the hearing. **PUBLIC HEARING
FOR FINAL
ADOPTION OF
AMENDMENTS TO
RULES 326 IAC 6-1-
10.1 and 326 IAC 6-1-
10.2, U.S. Steel-Gary
Works PM₁₀**

Ms. Christ Pederson, rulewriter, stated that the proposed rule amendments updated U.S. Steel's equipment inventory, emission limits and other rule provisions that were superseded by a 1996 agreed order and two variances. This rulemaking formalizes changes into state rules. Ms. Pedersen stated that the revisions were necessary to address changes at U.S. Steel's integrated steel-making operation that had occurred since the current rules became effective in 1993. Ms. Pedersen asked the board to final adopt the rules with IDEM's suggested changes.

Mr. Staley moved to adopt the amendments to rules 326 IAC 6-1-10.1 and 326 IAC 6-1-10.2. Mr. Bacone seconded. The motion passed unanimously.

Mr. Anderson moved to final adopt rules 326 IAC 6-1-10.1 and 326 IAC 6-1-10.2 as amended. Dr. Miner seconded. The motion passed 10-0.

7. Chairman Walker introduced Exhibit 3, the draft rule, into the record of the hearing.

Ms. Chris Pederson, rulewriter, stated that the draft rule amendment concerned the redesignation of Lake County to attainment for particulate matter with a nominal air dynamic diameter of ten microns or less, also called PM₁₀. The rulemaking incorporates by reference U.S. EPA's redesignation as published in the Federal Register on January 10, 2003, at 68 FR 1370. Ms. Pederson asked the board to adopt the draft rules.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
AMENDMENTS TO
RULE 326 IAC 1-4-1,
Redesignation of Lake
County to attainment
of the PM₁₀ Nation**

Mr. Bacone moved to preliminarily adopt the amendments to rules 326 IAC 1-4-1. Mr. Anderson seconded. The motion passed unanimously.

8. The next meeting was tentatively scheduled for Wednesday, June 4, 2003 at 1:00 p.m, Indiana Government Center South, Indianapolis, Indiana in Conference Room C.

NEXT MEETING

9. Mr. Benshoof moved to adjourn the meeting. Mr. Harmon seconded. The vote was unanimous. Chairman Walker adjourned the meeting at 1:49 p.m.

ADJOURNMENT

John Walker, Chairman

These minutes were taken from the May 7, 2003 transcript, and were written on July 14, 2003, by Karol T. Chuma, Office of Air Quality.